

Voytilla, Marykay

From: Poulson, Benjamin
Sent: Thursday, May 15, 2014 7:52 AM
To: Zurey, Ed
Cc: Voytilla, Marykay; Filippini, Mark; Hamlin, Tim; Chu, Ed
Subject: RE: Staff question: drinking water and L&I rules

Ed,

The MCBA, Article 20, Section 1A references that the Agency shall provide “a safe, sound and healthful working environment and conditions consistent with appropriate health and safety standards and controlling laws.” But the negotiated agreement does not and really cannot drill down into what those controlling laws require – i.e. potable water...

I know that in our meeting with the Union on Tuesday afternoon, the Union seemed alright with the actions that management took in real time...Should all employees have been sent home? I do not know if the OSHA regulations require that step. My hunch is that there is a “reasonableness” factor as to when an office should be closed and or water brought in. In other words, if there is a drinking water problem, an employer likely has a reasonable amount of time to make arrangements. In our case, the water was declared safe so quickly that alternatives likely were not required, but I would defer to our OSHA expert on that...

From: Zurey, Ed
Sent: Thursday, May 15, 2014 7:38 AM
To: Poulson, Benjamin
Subject: FW: Staff question: drinking water and L&I rules

L&I rules. Any background on this? Read Matt Szelag’s email at the bottom of the string. Ed Z

Ed Zurey
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From: Voytilla, Marykay
Sent: Thursday, May 15, 2014 7:34 AM
To: Kelly, Joyce; Filippini, Mark; Zurey, Ed; Poulson, Benjamin
Cc: William Senn - 10PSPS; mary.senn@gsa.gov; Chu, Ed; Hamlin, Tim
Subject: Staff question: drinking water and L&I rules

Gang, can one of you shed some light on Ed Chu’s question below (alleged by Matt Szelag is OWW): Did we violate L&I rules on Friday when we said don’t drink the water until further notice but provided no alternate source of drinking water?

Mary Kay Voytilla

Lease Project Associate Director

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Phone: (206) 553-2712

From: Chu, Ed

Sent: Thursday, May 15, 2014 7:26 AM

To: Voytilla, Marykay; Hamlin, Tim

Subject: Re: Lifting the warning about tap water in Park Place

Yes - thank you.

From: Voytilla, Marykay

Sent: Thursday, May 15, 2014 7:20:04 AM

To: Voytilla, Marykay; Chu, Ed; Hamlin, Tim

Subject: RE: Lifting the warning about tap water in Park Place

Ed and Tim, I checked with Jonell on this when I got in this morning. She says that this L&I business is not in her bailiwick (Facilities) and suggested that it's probably a H&S connection (like workman's comp). Ed, I can forward your question on to Joyce, Mark F., Ed Z. and Ben P. Would you like me to do that?????

Mary Kay Voytilla

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Phone: (206) 553-2712

From: Voytilla, Marykay

Sent: Wednesday, May 14, 2014 9:39 PM

To: Chu, Ed; Hamlin, Tim

Subject: Re: Lifting the warning about tap water in Park Place

Ed, unfortunately I have no idea about whether we violated work place rules. I'm not even sure I know what that means. Would Ed Zurey or someone else in Human Resources (maybe Ben) be able to address that issue?

From: Chu, Ed

Sent: Wednesday, May 14, 2014 5:46:20 PM

To: Hamlin, Tim; Voytilla, Marykay

Subject: Fw: Lifting the warning about tap water in Park Place

Matthew is saying that we violated work place regulations. Your thoughts?

From: Chu, Ed

Sent: Wednesday, May 14, 2014 5:38:23 PM

To: Szelag, Matthew

Cc: Greaves, Natasha; Filippini, Mark; Voytilla, Marykay; Hamlin, Tim; Kelly, Joyce

Subject: Re: Lifting the warning about tap water in Park Place

Matthew,

Thanks for your feedback. I am sharing your comments with colleagues and AFGE President who helped me with decisions last week so we can do better next time.

From: Szelag, Matthew

Sent: Wednesday, May 14, 2014 5:02:54 PM

To: Chu, Ed

Subject: RE: Lifting the warning about tap water in Park Place

Hi Ed,

Thank you for keeping us informed on this issue. I think it would be helpful if Region 10 management could be much more transparent about this concerning issue as it evolves. In particular, it would be good to know the information and decision making criteria for lifting the drinking water ban for the entire building. It would also be helpful for you to provide more updates on what sampling is underway. Your email below excludes many of the floors that EPA sits on, so it's very unclear as to what our status has been and what the next steps are.

In addition, I'm confused as to why the building was open for employees on Friday. With the drinking water ban and no alternate source provided, it seems to me that having the office open is a violation of L&I rules

(<http://www.lni.wa.gov/wisha/rules/corerules/PDFs/296-800-230.pdf>). As far as I'm aware no alternate source was provided during the ban, although you mentioned it was "being looked into." Given a large majority of the employees are able to flexiplace, I think this should have been encouraged, if not required.

I appreciate you saying that the Region is taking this issue seriously and I'm sure there is a lot going on behind the scenes that employees are not aware of, but with the limited information being shared and the lack of a response beyond posting signs at drinking water fountains Friday, it's hard to see that. Unfortunately, I just filled out my EVS survey this year before this issue arose, so I cannot reflect my concerns in that forum.

Thanks,

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From: Chu, Ed

Sent: Friday, May 09, 2014 5:54 PM

Subject: Lifting the warning about tap water in Park Place

Importance: High

We spent today with GSA and the Park Place building management to review their drinking water sampling plan/protocol and sampling results from floors 16, 17, 20, and 21. Based on our review today, I am pleased to report that we identified only one location that exceeds the action level for lead, the 16th floor employee lounge. To eliminate exposure at that location, the building management closed off the water supply to the affected refrigerator and sink until we can determine the source of the problem. We have asked for further testing of 16th floor drinking water sources and the building management agreed to conduct the testing next Tuesday. We have asked for further testing on the 1st floor in advance of our occupancy. The building management is also conducting additional tests in the fitness center.

Test results show no elevated lead level above the action level on floors 17, 20, and 21. GSA drinking water tests conducted over the last three years at the Green Tree day care centers also show no elevated lead level above the action level. Although we do not have any information about our other floors in Park Place, based on the results from floors 17, 20, and 21 and the Green Tree day care center, we do not expect tap water in the building to exceed the action level.

Nevertheless, we continue to take this matter very seriously so we plan to conduct our own testing in our space in the coming weeks. We will share all results with you.

If you have any questions, please contact Mary Kay Voytilla or Mark Filippini.

Edward H. Chu
Assistant Regional Administrator
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